

Application Serial No.: 09/189,543

Filing Date: November 10, 1998

REMARKS

Claims 37-47 and 51-62 are pending in this application. Claims 37, 38, 40-47, 51-55 and 57-62 have been allowed. Claims 39-47, 53, 61, and 62 have been amended to correct antecedent basis. Claim 39 has been amended to remove dependency to Claim 37. Claim 56 has been amended to remove dependency to Claim 58. Claim 63 is new. Support for the new claim 63 can be found in claims as filed. No matter has been added by way of these amendments. Applicants respectfully request entry of the amendments.

Improper Multiple Dependent Claims

The Examiner has objected to Claim 56 under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. In response, Applicants have amended 56 to remove dependency to claim 58. Applicants respectfully request withdrawal of the objection.

Not Further Limiting Claim

The Examiner has objected to Claim 39 under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Specifically, the Examiner states that claim 39 requires that a label be present on the decoder binding ligand which is deemed inclusive of an optical tag as not cited in claim 37 from which claim 39 depends. The Examiner further states that the embodiment of claim 39 is outside the scope of claim 37.

Applicants respectfully traverse the objection. However, in the interest of furthering prosecution, Claim 39 has been amended to remove dependency to Claim 37. Applicants respectfully request withdrawal of the objection.

Application Serial No.: 09/189,543
Filing Date: November 10, 1998

CONCLUSION

Applicants note that the claims are ready for allowance and the Examiner is respectfully requested to provide early notification to this effect.

Please direct further questions in connection with this Application to the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: January 30, 2004
Customer Number: 32940
Dorsey & Whitney LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

BY: David C. Foster

David C. Foster, Reg. No. 44,685 for
Robin M. Silva, Reg. No. 38,304
Filed under 37 C.F.R. § 1.34(a)